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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/046,784	03/23/1998	KAPONO D. CARTER	83000.1007	2541

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[REDACTED] EXAMINER

DELA TORRE, CRESCELLE N

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 04/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/046,784	CARTER, KAPONO D.
	<b>Examiner</b>	<b>Art Unit</b>
	Crescelle N dela Torre	2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 18 January 2002.

2a)  This action is FINAL.                  2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-23 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-23 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## **Application Papers**

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_  
4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

**DETAILED ACTION**

This action is responsive to communications: RCE Request, filed on 1/18/02, and Amendment, filed on 8/20/01.

Claims 1-23 are pending in this application. Claims 1, 7, 12, 17, and 23 are independent claims. In the Amendment, filed on 8/20/01, claims 1-3, 7, 9-12, 14-19, and 23 were amended.

The present title of the invention is "Method and Apparatus for Selecting Attachments" as filed originally.

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/18/02 has been entered.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borman et al (U.S. patent 5,890,172) in view of Yohanan (U.S. patent 5,737,560).

As per claim 1, Borman et al., hereinafter Borman, teach the following subject matter:

a browsing mechanism, with browser interface 400, at figures 5A-5C, and column 7, lines 52-53, configured to render a current data resource, i.e., a file retrieved by the browser, and to navigate through plural data resources, using the Back 412, Forward, and Home 414 buttons; and

an attachment mechanism, using jumper window 300, at figure 3, configured to retrieve an attachment from the browser in response to a user event, i.e., by selecting a hot-link with a mouse, at column 6, lines 55-60, the attachment associated with the current data resource, since the "hot-links are extracted from a file initially retrieved by the browser".

Regarding claim 1, Borman describes that in another embodiment, "the user will be able to invoke the product from within their electronic e-mail box simply by double-clicking on attached files" at column 12, lines 62-64. However, Borman does not

specifically teach attaching the attachment to an e-mail message. Nor does Borman specifically teach a selection mechanism to select a portion of a current document for attachment to an e-mail message.

On the other hand, Yohanan teaches selecting a portion of a current document, by selecting jumpsite icons, at column 7, lines 29-36, where "by creating jumpsites by using the WebJumper tool, the user can drag related icons from the default directory, another directory, or from the WebJumper tool itself into other directories or icon catalog pages". In addition, Yohanan teaches that jumpsite icons can be attached to e-mail messages, at column 7, lines 37-40.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to attach a portion of a current document to an e-mail message as taught by Yohanan in the invention of Borman because it allows for immediate access to a designated web site.

Borman teaches that the attachment comprises a resource locator [claim 2] at column 7, lines 62-63, or source data [claim 3] associated with the current data resource at column 13, lines 32-38.

Borman teaches selecting an attachment type [claim 4] at column 12, lines 56-61.

Furthermore, Borman teaches that the attachment mechanism comprises a button [claim 5] with refresh/update button 326, at figure 3, and column 7, lines 17-19. As to claim 6, Borman teaches navigating to a first data resource, in browser window

406, using a resource locator, with hot-link 580, in a second data resource, in jumper window 300, all at figure 6.

Regarding claims 7-11, they are similar to claims 1, 4, 2, 3, and 6. Claims 12-16 correspond respectively to claims 7-11; while claims 17-19, 21, and 23 correspond to claims 1-3, 6, and 1.

As per claim 20, the first part is similar to claim 4, while the second part is taught by Borman with site window 404, at column 7, line 32, and at figure 5A, which allows a user to select the property value by entering the site location.

As to claim 22, Borman teaches the following:

a stack configured to contain resource locators of navigated data resources, with history creation process 712, at figure 7, and column 9, lines 40-42; and  
one or more methods configured to browse navigated data by stepping forward or backward within the stack, at column 9, lines 43-56.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

As pointed out by applicant in the Amendment, filed on 8/20/01, the "user's selecting of a portion of a current document and attaching to an e-mail message of an attachment associated with those selected portions of the current document" is different than the "chaining together of a number of complete individual single files to create a "multi-part" file" as in the Kelley reference.

Rather, the claims have been rejected in view of Borman and Yohanan. Similar to applicant's invention, Yohanan teaches that a "user can attach to an e-mail an attachment associated with the selected portions, such as the selected graphics icons and URLs", at column 7, lines 37-40, which describes jumpsite icons that can be attached to e-mail messages.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crescelle N dela Torre whose telephone number is (703) 305-9782. The examiner can normally be reached on Monday-Thursday, from 8am-4pm, and on alternate Fridays, from 8am-3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for official communications; (703) 746-7238 for After Final communications; and (703) 746-7240 for draft or non-official communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

*C. dela Torre*  
CRESCELLE N. DELA TORRE  
PRIMARY EXAMINER